IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 27TH JULY 2007 / 5TH SRAVANA 1929

Crl.Rev.Pet.No. 2837 of 2007()

CRA.109/2002 of I ADDL.SESSIONS COURT, ERNAKULAM
CC.474/1998 of JUDL.MAGISTRATE OF FIRST CLASS-I, MUVATTUPUZHA

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REVN. PETITIONER: APPELLANT/ACCUSED

AJI, S/O.THANKAPPAN, INCHAPPILLIL VEEDU,
THANKALAM, KOTHAMANGALAM.

BY ADV. SRI.JOSE DAVIS

RESPONDENTS: RESPONDENTS/COMPLAINANT & STATE

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1. E.K.AYYAPPANKUTTY, EANTHUNGAL
PARASALAPPADY, KOZHIPPILLY,
KOTHAMANGALAM.

2. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.AMJAD ALI
SRI.T.E.VARKEY

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 27/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No. 2837 of 2005

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Dated: 13-07-2007

ORDER

The accused in C.C. No.1538 of 2001 on the file of the J.F.C.M-I, Kochi for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A. 7571 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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